
STATUTORY INSTRUMENTS

1995 No. 1780

The Training for Work (Miscellaneous Provisions) Order 1995

Citation and commencement

1. This Order may be cited as the Training for Work (Miscellaneous Provisions) Order 1995 and shall come into force on 15th August 1995.

Interpretation

2. In this Order, unless the context otherwise requires—

“employer” in relation to a Training for Work Participant means a person for whom and under whose supervision and control he works in connection with his participation in Training for Work;

“facilities” means facilities provided in pursuance of Training for Work;

“training allowance” means a payment made, directly or indirectly, by the Secretary of State to a Training for Work Participant in connection with his use of facilities;

and a person is, or, as the case may be, was at any material time, a “Training for Work Participant” if he is, or, as the case may be, was at that time, using facilities.

Revocation and savings

3.—(1) The Training for Work (Miscellaneous Provisions) Order 1993 ^{M1} (“the 1993 Order”) is hereby revoked.

(2) Notwithstanding the revocation of the 1993 Order, in respect of any period or periods falling before the coming into force of this Order persons to whom the 1993 Order applied, and the payments which those persons received in connection with their use of facilities, shall continue to be treated in the manner provided for by articles 2 and 3 of that Order.

Marginal Citations

M1 S.I. 1993/348.

Treatment of persons and payments for purposes of the Social Security Contributions and Benefits Act 1992 and the subordinate legislation specified in the Schedule

4.—(1) For the purpose of—

(a) Part I of the Social Security Contributions and Benefits Act 1992 ^{M2}, and

(b) the subordinate legislation specified in the Schedule to this Order,

if, for any period or periods commencing with or falling after the date on which this Order comes into force during which a person is a Training for Work Participant, that person receives or is eligible or entitled to receive a payment or payments from any person in connection with his use of facilities, his status during that period or those periods, the identity of his employer if he is to be treated as

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employed, and the manner in which that payment is or those payments are to be treated shall be determined in accordance with paragraphs (2) and (3) of this article.

(2) Subject to paragraph 3, for any period in respect of which the Training for Work Participant receives or is eligible to receive a training allowance he is to be treated as not being employed but as participating in arrangements for training under section 2 of the 1973 Act; and accordingly any payment made to such a person during that period in connection with his use of facilities shall be treated in the same manner as a payment made in respect of such training.

(3) For any period in respect of which the Training for Work Participant receives no training allowance but receives or is entitled to receive instead payment by way of remuneration from his employer in connection with his use of facilities, he is to be treated as being employed by his employer; and any such payment made to him by his employer is to be treated as earnings.

Marginal Citations

M2 [1992 c. 4.](#)

Signed by order of the Secretary of State.

James Paice
Parliamentary Under Secretary of State,
Department for Education and Employment

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Changes and effects yet to be applied to :

- Sch. substituted by [S.I. 1998/1426 art.2\(3\)Sch.](#)
- Instrument amended by [S.I. 1998/1426 arts.1\(2\)2\(1\)\(2\)](#)